

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

B. MOODY and K. O'BRIEN,

Plaintiffs,

-v-

INSPIRE SUMMITS LLC and CHRISTOPHER P.
SKROUPA,

Defendants.

CIVIL ACTION NO.: 20 Civ. 5834 (SLC)

**ORDER TO SUBMIT SETTLEMENT
MATERIALS**

SARAH L. CAVE, United States Magistrate Judge.

On September 29, 2022, the parties advised the Court that they have reached a settlement. (ECF No. 113). On October 14, 2022, the parties consented to the jurisdiction of a United States Magistrate Judge for all purposes. (ECF No. 117).

This case contains one or more claims arising under the Fair Labor Standards Act. (ECF No. 1). In light of the requirements of Cheeks v. Freeport Pancake House, Inc., 796 F.3d 199 (2d Cir. 2015), the parties must file a joint Letter-Motion that addresses whether the settlement is fair and reasonable.

The parties must file their Letter-Motion by **November 9, 2022**, and should address the claims and defenses, Defendants' potential monetary exposure and the bases for any such calculations, the strengths and weaknesses of Plaintiffs' case and Defendants' defenses, any other factors that justify the discrepancy between the potential value of Plaintiffs' claims and the settlement amount, the litigation and negotiation process, as well as any other issues that might

be pertinent to the question of whether the settlement is reasonable (for example, the collectability of any judgment if the case went to trial).

The joint Letter-Motion should also explain the attorney fee arrangement, attach a copy of any retainer agreement, and provide information as to actual attorneys' fees expended (including billing records and costs documentation). Finally, a copy of the settlement agreement itself must accompany the joint Letter-Motion.

Dated: New York, New York
October 25, 2022

SO ORDERED.


SARAH L. CAVE
United States Magistrate Judge